

AO 440 (Rev. 06/12) Summons in a Civil Action

# UNITED STATES DISTRICT COURT

for the

Eastern District of New York

TOMAS CALEL CHITIC, individually and on  
behalf of others similarly situated,

*Plaintiff(s)*

v.

EBIE CORP. (D/B/A MAD FOR CHICKEN  
WILLIAMSBURG), SEAN CHO, and MOE  
ADAMS,

*Defendant(s)*

Civil Action No. 1:25-cv-03081-LKE

## SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* See attached rider

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in **Fed. R. Civ. P. 12** (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Michael Faillace  
Michael Faillace & Associates, P.C.  
60 East 42nd Street, Suite 4510  
New York, New York 10165

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

BRENNA B. MAHONEY  
CLERK OF COURT

s/Kimberly Davis

*Signature of Clerk or Deputy Clerk*

Date: 6/4/2025



Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
 was received by me on *(date)* \_\_\_\_\_ .

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
 \_\_\_\_\_ , a person of suitable age and discretion who resides there,  
 on *(date)* \_\_\_\_\_ , and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_ , who is  
 designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

☐ I returned the summons unexecuted because \_\_\_\_\_ ; or

☐ Other *(specify)*: \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

-----X  
TOMAS CALEL CHITIC, individually and  
on behalf of others similarly situated,

*Plaintiffs,*

-against-

EBIE CORP. (D/B/A MAD FOR  
CHICKEN WILLIAMSBURG), SEAN  
CHO, and MOE ADAMS,

*Defendants.*

**Index No.**

**RIDER TO REQUEST FOR  
SUMMONS**

-----X

Ebie Corp.  
(d/b/a Mad For Chicken Williamsburg)  
617 Grand St  
Brooklyn, NY 11211

Sean Cho  
617 Grand St  
Brooklyn, NY 11211

Moe Adams  
617 Grand St  
Brooklyn, NY 11211